



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,664	09/15/2003	Hideaki Yumoto	1707/61	1887
26646	7590	09/28/2007		
KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004			EXAMINER RIVELL, JOHN A	
			ART UNIT	PAPER NUMBER
			3753	
			NOTIFICATION DATE	DELIVERY MODE
			09/28/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@kenyon.com

Office Action Summary	Application No. 10/662,664	Applicant(s) YUMOTO, HIDEAKI	
	Examiner John Rivell	Art Unit 3753	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/15/03 (application).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>09152003, 0322004</u> . | 6) <input checked="" type="checkbox"/> Other: <u>IDS:05242004</u> . |

Claim 1 is the only claim pending.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. §102 (b) as being anticipated by ant one of Dowson et al (U. S. Pat. no. 384,514), Hennebohle (U. S. Pat. No. 693,133) or Smolensky (U. S. Pat. No. 2,356,360 cited by applicant).

The patent to Dowson et al. discloses, in figure 1 for example, a "check valve, comprising: a valve casing (upper 17 and lower 18 valve housings), the valve casing being formed with an inlet (in lower housing 18), a valve chest (at the immediate inlet of housing 17) having a diameter larger than that of the inlet, and an outlet (the reduced diameter downstream section of housing 17); an annular valve seat (19) formed between the inlet and the valve chest; a valve element (20) disposed within the valve chest to open and close the annular valve seat (19); a valve stem (lower 34) projectingly provided on an inlet side of the valve element (20); and a guide member (annular ring at the center of cross bar 36) with which an outer periphery of the valve stem (34) is in sliding contact, wherein: the guide member (annular ring) is provided at inner ends of ribs (36) that project into the valve chest from an inner wall of the inlet (note ring 44 sits proud of seat 19, which ring 44 extends "into the valve chest"), and a recess (unreferenced but clearly shown in fig. 2 receiving the upper edge of ring 44) is formed in the valve element (20) to receive therein the ribs (i.e. the upper ends of cross bars

Art Unit: 3753

36) projecting into the valve chest and to receive the guide member (annular ring)" as recited.

The patent to Hennebohle discloses, in fig. 2 for example, a "check valve, comprising: a valve casing (housing P), the valve casing (P) being formed with an inlet (A), a valve chest (at A²) having a diameter larger than that of the inlet (A), and an outlet (B); an annular valve seat (c^x) formed between the inlet (A) and the valve chest (at A²); a valve element (L) disposed within the valve chest (at A²) to open and close the annular valve seat (c^x); a valve stem (F) projectingly provided on an inlet side of the valve element (L); and a guide member (annular ring at c) with which an outer periphery of the valve stem (F) is in sliding contact, wherein: the guide member (c) is provided at inner ends of ribs (between which are ports c') that project into the valve chest (A²) from an inner wall of the inlet, and a recess (the concave cavity of valve element L) is formed in the valve element (L) to receive therein the ribs projecting into the valve chest (A²) and to receive the guide member" as recited.

The patent to Smolensky discloses, in fig. 2 for example, a "check valve, comprising: a valve casing (housing 2), the valve casing (2) being formed with an inlet (generally at the lower end at numeral 15), a valve chest (above seat 18 in the wider portion of housing 2) having a diameter larger than that of the inlet (at 15), and an outlet (generally at the upper end at numeral 22); an annular valve seat (18) formed between the inlet and the valve chest (at the larger diameter housing portion); a valve element (33) disposed within the valve chest to open and close the annular valve seat (18); a valve stem (lower end of 41) projectingly provided on an inlet side of the valve element

Art Unit: 3753


(33); and a guide member (annular ring at 21) with which an outer periphery of the valve stem (41) is in sliding contact, wherein: the guide member (21) is provided at inner ends of ribs (13, 19) that project into the valve chest from an inner wall of the inlet (note the upper surfaces of arms 19 extend beyond the valve seat 18 "into the valve chest"), and a recess (the concave cavity of valve element 33) is formed in the valve element (33) to receive therein the ribs (upper surfaces of 19) projecting into the valve chest and to receive the guide member (21)" as recited.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Rivell whose telephone number is (571) 272-4918. The examiner can normally be reached on Mon.-Fri. from 6:30am-3:00pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Huson can be reached on (571) 272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


John Rivell
Primary Examiner
Art Unit 3753

j.r.